



{In Archive} Fw: Pineview Estates

Aaron Setran to: Rich Campbell
Cc: David Albright

12/07/2010 08:59 AM

From: Aaron Setran/R9/USEPA/US
To: Rich Campbell/R9/USEPA/US@EPA,
Cc: David Albright/R9/USEPA/US@EPA
Archive: This message is being viewed in an archive.

Below is an old e-mail from Judy Sheldrew, attorney for the HOA at Pineview Estates, sent a little over one year ago. In the e-mail she indicates that the HOA has not pursued ownership of the infrastructure at the site, and assuming they have not done so since this e-mail was sent, PTP and Kizer would be the current owners. I'll follow-up w/ Yarborough.

Aaron Carr Setran
U.S. EPA, Water Division
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3457

----- Forwarded by Aaron Setran/R9/USEPA/US on 12/07/2010 08:58 AM -----

From: "Judy Sheldrew" <jsheldrew@nevada-law.us>
To: Aaron Setran/R9/USEPA/US@EPA
Cc: Rich Campbell/R9/USEPA/US@EPA, David Albright/R9/USEPA/US@EPA, Roger Yates/R9/USEPA/US@EPA
Date: 09/22/2009 12:05 PM
Subject: Re: Pineview Estates

Dear Mr. Setran:

Thank you for your e-mail of this date. I have researched all of the available documents regarding which entity owns the drinking water and wastewater infrastructure in Pine View Estates. While the documents allow the Home Owners Association to purchase or lease the common property on which the infrastructure is located, it does not appear that either option was ever pursued by the Association. I can find no recorded lease or deed nor has anyone on the current Home Owners' Association Board been able to find any documentation regarding same.

We have contacted the person who ran the Home Owners' Association prior to the current Board taking over and asked that he turn over all information. He told the Secretary of the Board that there is a good deal of information in his late brother's garage (Ray May who was the Treasurer of PTP, Inc.) and that he will go through that paperwork. However, I am not hopeful that he will do so anytime soon.

I am now in the process of contacting the President of PTP, Inc. to find out whether he has further information regarding Pine View Estates. My opinion at this point is that PTP, Inc. still owns the common areas and infrastructure thereon. The Home Owners Association is taking responsibility for managing the drinking water system (and presumably the wastewater facilities) but that is the limit of their involvement at this point as far as I have been able to determine.

I spoke with Mr. Lapp and he has no idea where Mr. Yates got the idea that the Home Owners Association owns the infrastructure, since he did not indicate that to be the case during their discussions. I will continue to research and advise you once I get something definitive.

I do not know how time-sensitive your issue is regarding the wastewater facility. Please advise and I will do everything that I can to expedite my investigations.

Sincerely,
Judy M. Sheldrew

----- Original Message -----

From: Setran.Aaron@epamail.epa.gov

To: jsheldrew@nevada-law.us

Cc: Campbell.Rich@epamail.epa.gov ; Albright.David@epamail.epa.gov ;
Yates.Roger@epamail.epa.gov

Sent: Tuesday, September 22, 2009 8:53 AM

Subject: Fw: Pineview Estates

Ms. Sheldrew:

Roger Yates from EPA's Drinking Water Program recently visited Pineview Estates and met w/ Mr. Lapp. Per their discussion, Roger is under the impression that the HOA owns the drinking water and wastewater infrastructure at the development. As counsel representing the HOA, can you provide EPA with information that verifies ownership of the infrastructure at the development. If you prefer a formal request from EPA, please let me know. Thank you, Aaron

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----- Forwarded by Aaron Setran/R9/USEPA/US on 09/22/09 08:45 AM -----

Aaron Setran/R9/USEPA/US

To jsheldrew@nevada-law.us

09/01/09 02:25 PM

CC Rich Campbell/R9/USEPA/US@EPA, David Albright/R9/USEPA/US@EPA
Subject Pineview Estates

Ms. Sheldrew:

Thank you for your time this afternoon. To recap, EPA is trying to obtain information with regard to current ownership of the wastewater treatment and disposal infrastructure at the Pineview Estates property. As I understand from Mr. Robert Lapp, President of the HOA at Pineview, the HOA has just recently retained you to provide legal advice/input relative to HOA structure and responsibilities. Once you've had a chance to come up to speed on this matter, and if appropriate, EPA would appreciate you providing us with any information related to current ownership of the subject infrastructure.

If you have any questions or concerns about this inquiry, or EPA's regulatory authority at the site, please do not hesitate to contact me. Thank you, Aaron

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